

Equal Employment Opportunity Data Posted
Pursuant to the No Fear Act
Department of Health and Human Services
Centers for Medicare & Medicaid Services
For 4th Quarter Period ending September 30, 2005

29 CFR §1614.704(a) - (c)		29 CFR §1614.705 Comparative Data				
Complaint Activity	FY2005 end of 4th Qtr	Previous Fiscal Year Data				
		2004	2003	2002	2001	2000
Number of Complaints Filed in FY 1614.704(a)	37	29	18	20	20	22
Number of Complainants 1614.704(b)	31	29	18	20	20	21
Repeat Filers 1614.704(c)	4	0	0	0	0	1

29 CFR §1614.704(d)		29 CFR §1614.705 Comparative Data				
Complaints by Basis	FY2005 end of 4th Qtr	Previous Fiscal Year Data				
		2004	2003	2002	2001	2000
Race	20	21	18	19	10	13
Color	1	1	3	9	0	0
Religion	3	3	1	1	0	2
National Origin	0	2	1	3	2	2
Sex (including complaints filed under Equal Pay Act)	19	13	9	19	5	9
Disability	5	8	3	11	5	4
Age	19	10	8	18	10	11
Reprisal	25	11	2	8	11	3
Other	0	0	0	0	1	0

29 CFR §1614.704(e)		29 CFR §1614.705 Comparative Data				
Complaints by Issue	FY2005 end of 4th Qtr	Previous Fiscal Year Data				
		2004	2003	2002	2001	2000
Appointment/Hire	2	1	0	1	1	1
Assignment of Duties	8	4	7	4	0	2
Awards	5	1	2	4	0	3
Conversion to Full-time	0	0	0	0	0	0
Disciplinary Action						
Demotion	0	0	0	0	0	0
Reprimand	3	2	0	0	0	1
Suspension	0	0	1	0	0	1
Removal	0	0	0	0	0	0
Other	0	0	0	0	0	0
Duty Hours	0	1	0	0	0	0
Evaluation Appraisal	2	1	1	0	0	2
Examination/Test	0	0	0	0	0	0
Harassment						
Non-Sexual	12	3	4	3	4	3
Sexual	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0
Pay (Including Overtime)	1	1	0	0	0	0
Promotion/Non-Selection	13	16	10	11	10	12
Reassignment						
Denied	3	0	0	0	1	0
Directed	4	2	0	0	0	1
Reasonable Accommodation	2	4	1	2	3	1
Reinstatement	0	0	0	0	0	0
Retirement	0	0	0	0	0	0
Termination	6	4	2	2	3	2
Terms/Conditions of Employment	6	0	0	4	2	3
Time and Attendance	3	1	1	2	0	0
Training	0	2	2	3	1	3
Other	0	1	0	0	0	0

29 CFR §1614.704(f)					
Processing Time "...post the average length of time it takes to complete each step of the process for every complaint that is pending during any time of the then fiscal year..."		2005 end of 4th Qtr		2004 end of 4th Qtr	
		Number	Average Days	Number	Average Days
All complaints pending in Investigative Stage	1614.704 (f)(1)	47	89	35	100
All complaints pending in Final Agency Action Stage		17	47	10	55
All complaints pending in which Hearing was not requested	1614.704 (f)(2)				
Time in Investigation Stage		16	86	5	99
Time to issue Final Agency Action		7	74	4	97
All complaints pending in which a Hearing was requested	1614.704 (f)(3)				
Time in Investigation Stage		26	94	24	104
Time to issue Final Agency Action		9	26	6	27

29 CFR §1614.704(g)		29 CFR §1614.705 Comparative Data				
Complaints Dismissed by Agency Pursuant to 1614.107(a)	FY2005 end of 4th Qtr	Previous Fiscal Year Data				
		2004	2003	2002	2001	2000
Total Complaints Dismissed by Agency	5	2	2	6	6	1

Average days pending prior to dismissal	16	10	12	78	82	56
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29 CFR §1614.704(h)			29 CFR §1614.705 Comparative Data									
Total Final Agency Actions Finding Discrimination	2005 4th Qtr		Previous Fiscal Year Data									
			2004		2003		2002		2001		2000	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(h)(1)	0	0	0	0	0	0	1	100	2	100	0	0
Without Hearing 704(h)(2)	0	0	0	0	0	0	0	0	0	0	0	0
With Hearing 704(h)(3)	0	0	0	0	0	0	1	100	2	100	0	0

29 CFR §1614.704(i)			29 CFR §1614.705 Comparative Data									
Findings of Discrimination Rendered by Basis	2005 4th Qtr		Previous Fiscal Year Data									
			2004		2003		2002		2001		2000	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(i)(1)	0	0	0	0	0	0	1	100	2	100	0	0
Number Findings Rendered Without Hearing 704(i)(2)	0	0	0	0	0	0	0	0	0	0	0	0
Number Findings Rendered After Hearing 704(i)(3)	0	0	0	0	0	0	1	100	2	100	0	0
Race	0	0	0	0	0	0	1	100	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Sex (include Equal Pay Act)	0	0	0	0	0	0	1	100	1	100	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0	1	100	0	0

29 CFR §1614.704(j)			29 CFR §1614.705 Comparative Data									
Findings of Discrimination Rendered by Issue	2005		Previous Fiscal Year Data									
	4th Qtr		2004		2003		2002		2001		2000	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(j)(1)	0	0	0	0	0	0	1	100	2	100	0	0
Findings Without Hearing 704(j)(2)	0	0	0	0	0	0	0	0	0	0	0	0
Findings After Hearing 704(j)(3)	0	0	0	0	0	0	1	100	2	100	0	0
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0	1	100	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action												
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment												
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	0	0	0	0	1	100	1	100	0	0
Reassignment												
Denied	0	0	0	0	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	2005 end of 4th Qtr		Previous Fiscal Year Data									
			2004		2003		2002		2001		2000	
	#	%	#	%	#	%	#	%	#	%	#	%
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0

29 CFR §1614.704(k)		29 CFR §1614.705 Comparative Data				
Complaints Pending From Previous Fiscal Years by Status	2005 4th Qtr	Previous Fiscal Year Data				
		2004	2003	2002	2001	2000
Total complaints from previous Fiscal Years 704(k)(1)	10	3	10	17	22	N/A
Total Complainants 704(k)(2)	10	3	10	15	19	N/A
Number complaints pending [as of 9/30]: 704(k)(3)						
Investigation	0	0	0	0	1	N/A
ROI issued, pending Complainant's action	0	0	0	0	0	N/A
Hearing	3	2	10	17	21	N/A
Final Agency Action	5	0	0	0	0	N/A
Appeal with EEOC Office of Federal Operations	2	1	N/A	N/A	N/A	N/A

29 CFR §1614.704(I)		29 CFR §1614.705 Comparative Data				
Complaint Investigations	2005 end of 4th Qtr	Previous Fiscal Year Data				
		2004	2003	2002	2001	2000
Number Pending Completion of Investigation	7	5	5	4	16	18
Pending Investigations Over Required Time Frames	0	0	0	0	3	N/A

**N/A - Denotes data not available for CMS in that category.
Date last updated: October 3, 2005**